

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**June 27, 2005**

DIVISION ONE

B168424      People                                  (Not for Publication)  
v.  
Jose Martinez

The judgment is reversed with respect to counts 2, 4, 9, 15, 18, 21, 30, 32, and 35, and the matter is remanded for resentencing. In all other respects, the judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Rothschild, J.

## DIVISION TWO

B172684      Fadly      (Not for Publication)  
v.  
Northridge Park Townhome Owners Association

The order dated November 6, 2003, is modified by striking from it in its annexed settlement and release agreement all reference to release and discharge of unknown claims and the waiver of rights under section 1542, leaving only a general release covering all known or suspected claims in connection with the underlying events pertaining to Superior Court case number PC030197Y. As so modified, the order under review is affirmed. Plaintiff is entitled to costs on appeal

Boren, P.J.

We concur: Ashmann-Gerst, J.  
Nott, J. (Assigned)

June 27, 2005 (Continued)

## DIVISION TWO (Continued)

B178168 People (Not for Publication)

V.

Henderson

The Court:

The judgment is affirmed.

Boren, P.J., Ashmann-Gerst, J., Nott, J. (Assigned)

B178738      Los Angeles County, D.C.S.      (Not for Publication)

V.

Rosa R.

The judgment is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.

Nott, J. (Assigned)

B179479      Los Angeles County, D.C.S.

V.

Daniel E.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed November 23, 2004) dismissed.

DIVISION THREE

B168648      Margarita Galicia et al.      (Not for Publication)

v.

California Department of Transportation

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                         Kitching, J.

B174095      Juan Villalobos      (Not for Publication)

v.

Rosalia Villalobos

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur:    Klein, P.J.  
                         Kitching, J.

B175285      Sujin Lee, D.C.      (Not for Publication)

v.

Board of Chiropractic Examiners

The judgment is affirmed.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                         Kitching, J.

June 27, 2005 (Continued)

### DIVISION THREE (Continued)

B173334      People      (Not for Publication)  
v.  
Tam Steven Nguyen

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION FIVE

B174098      Nitra Brazile  
v.  
Bharat Shah

Filed order denying petition for rehearing.

DIVISION SIX

B171519 People (Not for Publication)  
v.  
Aguero

The trial court shall amend the abstract of judgment to reflect a criminal lab fee of \$290 and a drug program fee of \$435, and forward the amended abstract of judgment to the Department of Corrections. The judgment is otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

June 27, 2005 (Continued)

## DIVISION SIX (Continued)

B175459 People (Not for Publication)  
v.  
Dunn

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Perren, J.

B175439      Hipskind      (Not for Publication)  
v.  
Shelledy, et al.

The judgment is affirmed. Costs to respondent.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION EIGHT

B175322      Roberta Dunn et al.,  
v.  
Blossom Development Corporation

Filed order denying petition for rehearing.

B173968      Anthony Fajardo  
v.  
Dr. Sandy Witzling

Filed order denying petition for rehearing.  
I would grant rehearing, Cooper, P.J.